

11/25/2005



# City of Austin

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November 17, 2004

Butch Smith  
City of Austin  
Parks and Recreation Department  
200 South Lamar Boulevard  
Austin, Texas 78704

**RE: Morse Project - Wastewater  
Request for Use Agreement Across Parkland**

Mr. Smith:

The Austin Water Utility is hereby requesting a permanent and temporary use agreement for the construction, and operation/maintenance for a 15-inch gravity wastewater line to serve the Pioneer Hill TND project. Attached are the following documents for your use and consideration to support this request:

- A. General Location Map
- B. Field Note Description

From these documents, you will note that the permanent use portion of the proposed agreement contains a thirty (30) foot wide easement. The temporary portion of the agreement contains a fifty (50) foot wide easement. The additional 20 feet is to allow the contractor adequate room to install the line.

The wastewater line project will consist of approximately 2,300 linear feet of 15-inch diameter wastewater line and appurtenances. This line will extend from the southeast corner of the Pioneer Hill TND project across the COA Parkland to the existing 60-inch interceptor in Walnut Creek on the eastside of Sprinkle Cutoff Road. The developer and the Parks and Recreation Department agreed on the alignment for this wastewater line on in a previous on-site meeting.

All construction and restoration for the project shall be in accordance with the City of Austin's Standard Specifications and Construction Standards Manuals.

Phillip A. Jaeger – Morse Project  
November 17, 2004  
Page 2 of 2

Should you have any questions regarding the above or want to discuss, please contact me at 972-0232.

Sincerely,



Phillip A. Jaeger  
Project Manager  
Austin Water Utility

PAJ/paj

Cc J. Chris Lippe, P.E., Director, Austin Water Utility  
Junie Plummer, Real Estate Services, Public Works  
Tim Taylor, Jackson Walker, L.L.P.  
Dale Thornton, Continental Homes of Texas, L.P.  
Brent Jones, Randall Jones Engineering

## 1.40 Acre Utility Easement

AN EASEMENT 30 FEET WIDE IN TRAVIS COUNTY, TEXAS, BEING A PART OF THE JAMES O. RICE SURVEY, ABSTRACT 675 AND BEING A PART OF THAT 67.555 ACRE TRACT OF LAND CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN DOCUMENT No. 2000001160 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCE at the Most Southerly Corner of that 40.768 Acre Tract of land conveyed to the City of Austin by deed recorded in Volume 7679, Page 269 of the Deed Records of Travis County, Texas, the same being the Most Northerly Corner of the said 67.555 Acre Tract of land conveyed to the City of Austin by deed recorded in Document No. 2000001160 of the Official Public Records of Travis County, Texas, and also being the Northeast Corner of a cemetery

THENCE along the Northerly Line of the 67.555 Acre Tract, the same being the Southeasterly and Southwesterly line of a cemetery the following two (2) courses:

1. S.32°38'27"W. a distance of 259.25 feet;
2. N.60°26'23"W. a distance of 392.82 feet to a ¼" iron rod found for the Westerly Northwest Corner of the 67.555 Acre Tract;

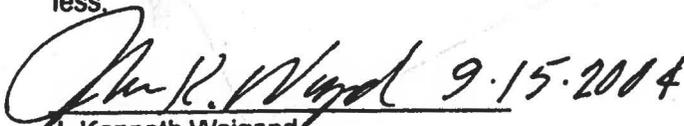
THENCE along the West Line of the 67.555 Acre Tract the following three (3) courses:

1. S.11°00'34"E. a distance of 186.47 feet to a ¼" iron rod found;
2. S.00°28'13"W. a distance of 497.13 feet to a ¼" iron rod found;
3. S.32°29'43"W. a distance of 329.65 feet to the Point of Beginning;

THENCE crossing the said 67.555 Acre Tract the following four (4) courses:

1. S.37°10'01"E. a distance of 591.57 feet;
2. N.85°41'56"E. a distance of 814.79 feet;
3. S.70°16'47"E. a distance of 274.42 feet;
4. S.42°16'34"E. a distance of 350.63 feet to the East Line of the said 67.555 Acre Tract, the same being the West Line of Sprinkle Road.

The side lines of said easement to be extended or shortened to meet at all angle points and to terminate at the East and West Lines of the 67.555 Acre Tract. Containing 1.40 acres, more or less.

  
J. Kenneth Weigand

Registered Professional Land Surveyor No. 5741  
State of Texas

RJ Surveying, Inc.  
1212 East Braker Lane  
Austin, Texas 78753



FRED C. MORSE  
VOL 3448,  
PAGE 406  
97.95 ACRES

CITY OF AUSTIN  
VOLUME 7, PAGE 269  
40.76 ACRES

METHODIST EPISCOPAL  
CHURCH OF MOUNT  
SALEM CEMETERY

POINT OF  
COMMENCEMENT

S1100°34'E

186.47'

N60°26'23"W  
392.82'

S32°38'27"W  
259.25'

S00°28'13"W  
497.13'

S32°29'43"W  
329.65'

S32°29'43"W  
92.40'

POINT OF  
BEGINNING

CITY OF AUSTIN  
DOCUMENT NO. 2000001160  
67.555 ACRES

N85°41'56"E  
814.79'

S70°16'47"E  
274.42'

S42°16'34"E  
350.63'

CENTERLINE OF  
30' UTILITY  
EASEMENT

S37°10'01"E  
591.57'

CRISWELL ROAD

SPRINKLE ROAD

WALNUT CREEK

SKETCH TO ACCOMPANY DESCRIPTION  
OF DRAINAGE EASEMENT  
SEE DESCRIPTION ON SEPARATE  
ATTACHMENT

DATE: SEPT. 15, 2004

SCALE: 1" = 300'

**RJ SURVEYING, INC.**

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793

## 2.33 Acre Temporary Construction Easement

AN EASEMENT 50 FEET WIDE IN TRAVIS COUNTY, TEXAS, BEING A PART OF THE JAMES O. RICE SURVEY, ABSTRACT 675 AND BEING A PART OF THAT 67.555 ACRE TRACT OF LAND CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN DOCUMENT No. 2000001160 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

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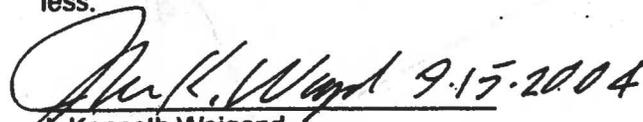
THENCE along the West Line of the 67.555 Acre Tract the following three (3) courses:

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THENCE crossing the said 67.555 Acre Tract the following four (4) courses:

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3. S.70°16'47"E. a distance of 274.42 feet;
4. S.42°16'34"E. a distance of 350.63 feet to the East Line of the said 67.555 Acre Tract, the same being the West Line of Sprinkle Road.

The side lines of said easement to be extended or shortened to meet at all angle points and to terminate at the East and West Lines of the 67.555 Acre Tract. Containing 2.33 acres, more or less.

  
J. Kenneth Weigand  
Registered Professional Land Surveyor No. 5741  
State of Texas

RJ Surveying, Inc.  
1212 East Braker Lane  
Austin, Texas 78753

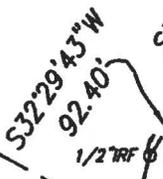
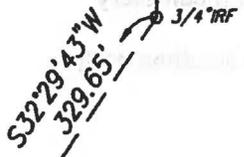
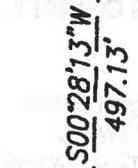
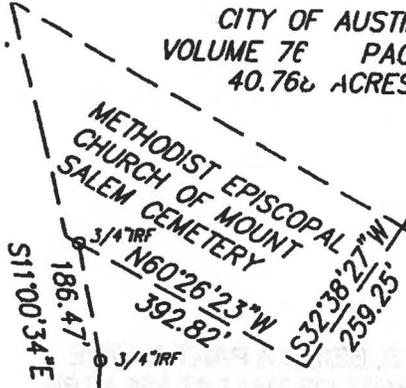


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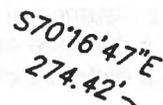
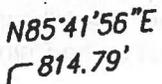
METHODIST EPISCOPAL  
CHURCH OF MOUNT  
SALEM CEMETERY

POINT OF  
COMMENCEMENT



CITY OF AUSTIN  
DOCUMENT NO. 2000001160  
67.555 ACRES

POINT OF  
BEGINNING



CENTERLINE OF  
50' EASEMENT  
(2.33 ACRES)



WALNUT CREEK

SKETCH TO ACCOMPANY DESCRIPTION  
OF DRAINAGE EASEMENT  
SEE DESCRIPTION ON SEPARATE  
ATTACHMENT

DATE: SEPT. 15, 2004

SCALE: 1" = 300'

<b>RJ SURVEYING, INC.</b>	
1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793	

# Parks and Recreation Department

## Annual Concession Report

2003-2004

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## I. Introduction

City of Austin Ordinance No. 890126-P, known as the Town Lake Ordinance, requires that an annual report concerning the status of concessions in Town Lake Park, including the Zilker Park area, be prepared by the Parks and Recreation Department (PAR) and presented to the Parks and Recreation Board and the Environmental Board in October of each year. The report shall describe the current concessions in Town Lake Park, including operations, sales and revenues for the prior fiscal year, along with any issues or problems that may have arisen.<sup>1</sup> In addition to current concessions, any information regarding new concessions in Town Lake Park shall be presented as well. The Parks and Recreation Board and the Environmental Board shall then make a recommendation to the City Council within 30 days of receipt of the report regarding appropriate concessions in Town Lake Park, the status of existing concessions and the advisability of issuing Request for Proposals (RFP) for any new concessions.

## II. Current Concessions

There are currently seven concessions in Town Lake Park which have or are eligible for contracts of a year or more and have permanent facilities. The seven concessions include four boat related concessions, a train concession, a pitch and putt golf course, and a food and beverage concession. The four public boat related concessions along with private boat concessions provide a total of 168 boats for rent on Town Lake, this is an increase of 69 boats since 1999.

As shown in the table below, gross sales for these concessions in 2003-2004 were \$1,503,615, a 4% increase from 2002-2003 sales. Revenues to the City also increased 30% in 2003-2004, as \$260,705 in commission payments was remitted by Town Lake concessionaires. The overall increase in gross sales and revenues to the City is due to the 127% increase in gross sales produced by Texas Rowing. This increase in revenue from Town Lake concessionaires; continues to be due to the increase in gross sales from Texas Rowing withstanding, concessionaires' gross sales were down an average of 3%.

*Current Concessions Table*

Concession	Commission Paid	2002-2003 Gross Sales	2003-2004 Gross Sales	2002-2003 Revenue to the City	2003-2004 Revenue to the City
Barton Springs Food & Beverage	38%	\$277,789	\$243,169	\$97,515	\$ 80,203
Butler Pitch & Putt	\$1,000/month	\$92,509	\$93,290	\$10,626	\$12,000
Lone Star River Boat	\$1,250/month; 8% of net revenue over \$187,500	\$196,979	\$193,040	\$15,000	\$15,000
Rowing Dock	7%	\$226,121	\$218,336	\$17,112	\$16,108
Texas Rowing (formerly L'Aviron Rowing)	\$667/month; 1% of clubs yearly net revenue; 8% of net revenue over \$80,000	\$181,956	\$274,225	\$12,259	\$20,271
Zilker Canoe Rental	11% of first \$40k & 12% thereafter	\$160,844	\$156,074	\$17,430	\$16,845
Zilker Zephyr Railroad	11%	\$309,502	\$325,481	\$31,561	\$32,600
<b>Total</b>		<b>\$1,445,700</b>	<b>\$1,503,615</b>	<b>\$201,503</b>	<b>\$193,027</b>

<sup>1</sup> Temporary concessions, defined as those involving no permanent facilities and having a contract term shorter than one year, are not included in this report.



**A. Barton Springs Food and Beverage**

<b>Concessionaire</b>	<b>Location</b>
Mr. Willie Rodriguez	Zilker Park – near Barton Springs Pool
5000 Broken Bow	
Austin, Texas 78745	<b>Commission Paid to City – 38%</b>
(512) 444-5992	
(512) 447-5872	
<b>Hours of Operation</b>	<b>Sign Posted</b>
9:00 a.m. – 8:00 p.m., Monday – Friday	Yes – menu
9:00 a.m. – 10:00 p.m., Saturday and Sunday	

**General Activities**

Barton Springs Food and Beverage is the City’s oldest concession. Mr. Willie Rodriguez of Rodriguez Concession, Inc. has been managing the concession since May 1, 1950. A five-year contract with a five-year extension option was executed on December 1, 1993. The final 5-year extension of the contract was executed, with the expiration of this extension being November 30, 2003. Rodriguez Concession, Inc. was awarded a five year contract that began on August 13, 2004 through August 12, 2009, with two five (5) year extension periods.

Tables 1 & 2 illustrate the monthly sales and revenue to the City for Barton Springs Food and Beverage for the past five fiscal years. Gross sales for fiscal year 2003-2004 were \$243,169. Revenues to the City were \$80,203, a 13% decrease in gross revenues from 2002-03.

*(This table area is extremely faint and contains illegible data.)*

**Table 1: Barton Springs Food and Beverage Sales**

	Sales 98-99	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	13,486	16,518	8,124	18,311	10,669	13,162
<i>November</i>	12,783	15,557	5,709	12,932	15,971	12,052
<i>December</i>	8,836	7,622	3,572	4,392	9,163	8,112
<i>January</i>	14,467	12,964	8,426	20,873	12,001	13,216
<i>February</i>	18,720	15,507	15,100	11,096	11,859	11,438
<i>March</i>	18,937	24,930	24,049	22,523	31,771	26,411
<i>April</i>	38,678	29,607	41,532	27,997	29,192	15,702
<i>May</i>	32,191	33,188	37,331	40,117	36,394	34,266
<i>June</i>	34,949	29,001	47,511	44,252	37,394	21,096
<i>July</i>	42,510	53,328	57,737	29,156	38,739	49,452
<i>August</i>	36,917	30,368	33,480	35,611	31,776	27,569
<i>September</i>	24,786	26,776	19,468	18,242	12,860	10,645
<b>Total</b>	<b>\$297,260</b>	<b>\$295,366</b>	<b>\$302,039</b>	<b>\$285,500</b>	<b>\$277,789</b>	<b>\$243,169</b>

**Table 2: Barton Springs Food and Beverage Revenue to the City**

	Rev. 98-99	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04
<i>October</i>	4,734	5,799	2,853	6,428	3,745	4,620
<i>November</i>	4,488	5,461	2,004	4,540	5,607	4,231
<i>December</i>	3,102	2,781	1,254	1,542	3,216	848
<i>January</i>	5,078	4,551	2,958	7,327	4,213	4,639
<i>February</i>	6,571	5,444	5,301	3,895	4,163	4,031
<i>March</i>	6,647	8,751	8,442	7,907	11,153	9,271
<i>April</i>	10,067	10,393	14,579	9,828	10,248	5,512
<i>May</i>	11,300	11,650	13,105	14,082	12,776	12,029
<i>June</i>	12,268	10,181	16,678	15,534	13,127	7,406
<i>July</i>	14,923	18,720	20,268	10,581	13,598	14,201
<i>August</i>	12,959	10,660	11,753	12,501	11,154	9,678
<i>September</i>	8,701	9,399	6,834	6,404	4,514	3,737
<b>Total</b>	<b>\$100,838</b>	<b>\$103,790</b>	<b>\$106,029</b>	<b>\$100,567</b>	<b>\$97,515</b>	<b>\$80,203</b>

**B. Butler Pitch and Putt**

<b>Concessionaire</b>	<b>Location</b>
Mr. Al Kinser	201 Lee Barton Drive
2600 Stratford Drive	(512) 477-9025
Austin, Texas 78703	
(512) 327-0761	<b>Commission Paid to City - \$1000/mo.</b>
<b>Hours of Operation</b>	<b>Sign Posted</b>
8:30 AM until dark, seven days a week	Yes

**General Activities**

Butler Pitch and Putt offers a par-three short irons golf course to participants of all ages. Mr. Winston Kinser and his brother designed the course in 1949. Opened in 1950, Butler Pitch and Putt is one of the City's oldest concessions. Mr. Kinser's son, Al, now maintains and operates the course. Under the contract the concessionaire pays a flat rate of \$1,000 per month. In addition, the City realizes an annual savings of approximately \$20,000 with Mr. Kinser's continued maintenance of the course.

Kinser Ranch LLC: Lee and Albert Kinser was awarded a five year contract that began on August 13, 2004, with the option of two five year extension periods

Tables 3 & 4 illustrate the monthly sales and revenue to the City for Butler Pitch and Putt for the past five fiscal years. Gross revenues for fiscal year 2003-2004 were \$89,654, a 3% decrease from 2002-2003. The flat rate paid equates to paying the Parks and Recreation Department 13% of gross sales for 2003-2004.

**Table 3: Butler Park Pitch and Putt Green Fees and Merchandise Sales**

	Sales 98-99	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	2,741	2,387	2,471	5,020	4,938	6,078
<i>November</i>	2,443	2,716	2,752	4,988	4,761	4,577
<i>December</i>	1,839	2,107	2,984	5,240	4,985	5,193
<i>January</i>	2,341	1,799	3,128	4,100	4,373	4,515
<i>February</i>	2,233	2,384	4,563	5,927	3,917	4,813
<i>March</i>	3,224	2,694	5,509	6,738	8,098	9,139
<i>April</i>	3,687	3,919	8,689	10,774	9,143	9,146
<i>May</i>	3,823	4,135	10,069	14,006	11,417	11,330
<i>June</i>	5,154	8,738	11,918	14,912	12,134	9,600
<i>July</i>	3,635	10,166	15,011	14,441	12,149	12,003
<i>August</i>	2,801	8,614	12,571	12,674	10,688	10,266.32
<i>September</i>	3,869	4,823	7,568	6,858	5,905	6,630
<b>Total</b>	<b>\$37,790</b>	<b>\$54,481</b>	<b>\$87,233</b>	<b>\$ 105,677</b>	<b>\$92,509</b>	<b>\$92,290</b>

**Table 4: Butler Park Pitch and Putt Revenue to the City**

	Rev. 98-99	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04
<i>October</i>	1,000	1,000	1,000	1,000	0	1000
<i>November</i>	1,000	1,000	1,000	1,000	626	1000
<i>December</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>January</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>February</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>March</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>April</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>May</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>June</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>July</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>August</i>	1,000	1,000	1,000	1,000	1,000	1000
<i>September</i>	1,000	1,000	1,000	1,000	1,000	1000
<b>Total</b>	<b>\$12,000</b>	<b>\$12,000</b>	<b>\$12,000</b>	<b>\$12,000</b>	<b>\$12,000</b>	<b>\$12,000</b>

## C. Lone Star Riverboat

Concessionaire	Location
Mr. Michael K. Pearce	101 South First
P.O. Box 160608	(512) 327-1388
Austin, Texas 78716	
Hours of Operation	Commission Paid to City - \$1,250/month; 8% of net sales over \$187,500
<i>Summer Hours (June – August):</i>	
Public rides: Tuesday – Sunday 5:30; Friday Night 10:30	
Private charters: on a reservation basis	
<i>Fall and Spring Hours (Sept. – Nov. &amp; March – May)</i>	
Public rides: Saturday – Sunday 3:30 p.m.	Sign Posted
Private charters: on a reservation basis	Yes
<i>Winter Hours (Dec. – Feb.)</i> Private charters: on a reservation basis	

**General Activities**

The Lone Star Riverboat is an old-fashioned style stern paddle wheel riverboat that has been providing rides on Town Lake since 1979. Narrated tours of the lake, which last 1½ hours, are available to the public Tuesday through Sunday at 5:30 p.m. A "Moonlight Cruise", which is not narrated, is offered on Friday nights at 10:30. Public rides are offered on Saturday and Sunday at 3:00 p.m. during off months. Prices for public rides are as follows: \$9.00 for adults, \$7.00 for seniors, and \$6.00 for children under twelve. Private charters occur on a reservation basis only and constitute approximately 75% of the concession's annual gross receipts. Catering is available on charters.

Michael Pearce was awarded a five-year contract that began in January 2001. Under the terms of the new contract, Mr. Pearce remits monthly payments of \$1250. In addition, at the end of each calendar year, he remits the City eight percent of any net revenue over \$187,500. A lump sum payment of \$443.19 remitted during FY 2003-04.

Tables 5 & 6 illustrate the monthly sales and revenue to the City for Lone Star Riverboat for the past five fiscal years. Gross sales for 2003-2004 were \$193,040, a 2% decrease in sales from 2003-2004. Revenues to the City totaled \$15,443.

**Table 5: Lone Star Riverboat Sales**

	Sales 98-99	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	20,974	32,720	38,211	31,430	23,237	13,388
<i>November</i>	11,043	14,882	13,480	10,509	7,336	6,634
<i>December</i>	3,988	8,680	7,209	4,569	5,851	11,719
<i>January</i>	901	1,311	3,582	-	0	0
<i>February</i>	1,800	4,726	2,981	2,458	1,394	100
<i>March</i>	12,708	12,446	12,023	7,796	6,284	9231
<i>April</i>	20,024	29,975	20,736	22,149	15,840	19,696
<i>May</i>	46,333	45,690	35,518	33,999	29,123	27,608
<i>June</i>	27,863	40,665	30,353	35,450	18,817	19,626
<i>July</i>	29,176	41,531	26,955	12,383	35,280	28,704
<i>August</i>	26,105	31,964	28,146	19,563	33,511	24,008
<i>September</i>	24,351	35,007	23,277	20,940	20,307	32,326
<b>Total</b>	<b>\$225,266</b>	<b>\$299,598</b>	<b>\$242,471</b>	<b>\$201,246</b>	<b>\$196,979</b>	<b>\$193,040</b>

**Table 6: Lone Star Riverboat Revenue to the City**

	Rev. 98-99	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04
<i>October</i>	981	1,636	1,785	1,250	1,250	1,250
<i>November</i>	505	744	635	1,250	1,250	1,250
<i>December</i>	183	434	335	1,250	1,250	1,250
<i>January</i>	42	66	1,250	1,250	1,250	1,250
<i>February</i>	84	218	1,250	1,250	1,250	1,250
<i>March</i>	586	575	1,250	1,250	1,250	1,250
<i>April</i>	927	1,384	1,250	1,250	1,250	1,250
<i>May</i>	2156	2,126	1,250	1,250	1,250	1,250
<i>June</i>	1302	1,888	1,250	1,250	1,250	1,250
<i>July</i>	1350	1,923	1,250	1,000*	1,250	1,250
<i>August</i>	1204	1,473	1,250	1,250	1,250	1,250
<i>September</i>	1130	1,625	1,250	1,250	1,250	1,693
<b>Total</b>	<b>\$10,450</b>	<b>\$14,092</b>	<b>\$14,005</b>	<b>\$14,750</b>	<b>\$15,000</b>	<b>\$15,443</b>

**D. Texas Rowing**

<b>Concessionaire</b>	<b>Location</b>
Matt and Kristin Knifton	North shore of Town Lake, off of
P.O. Box 50424	Stephen F. Austin Drive
Austin, Texas 78703	
	<b>Commission Paid to City - \$667/mo.</b>
<b>Hours of Operation</b>	
5:00 p.m. – 8:00 p.m. Monday – Friday	<b>Sign Posted</b>
8:00 a.m. – 12:00 p.m. Saturday and Sunday	Yes

**General Activities**

Texas Rowing offers rowing lessons, coaching and equipment rentals on Town Lake. In 1999, Matt and Kristin Knifton partnered with Anne Marie Heilman, owner of L'Aviron, to form Texas Rowing. In May 2000 Texas Rowing signed a 5 year contract with the City of Austin. Based on the terms of the contract the concessionaire remits a monthly payment of \$667 to the City. In addition, at the end of each calendar year, the contractor will pay the City one percent of the club's yearly net revenue, and eight percent of the net revenue above \$80,000 per year. In April, the Knifton's bought out Ms. Heilman and they are now sole owners of the business.

The Knifton's continues to increase business around producing a 151% increase in gross sales from 2002-2003. Tables 7 & 8 illustrate the monthly sales to the City for Texas Rowing for the past five fiscal years. The gross sales for 2002-2003 were \$181,956. The revenues paid to the City were \$20,271, with the lump-sum payment constituting \$12,267 of the revenues.

**Table 7: Texas Rowing Sales**

	Sales 98-99	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	4,667	7,093	11,012	7,686	6,992	17,772
<i>November</i>	2,950	6,824	5,770	2,662	9,021	9,688
<i>December</i>	3,806	6,358	4,454	3,364	8,195	14,540
<i>January</i>	3,191	5,980	5,961	2,745	9,392	17,129
<i>February</i>	5,432	6,312	5,923	3,498	7,366	13,448
<i>March</i>	5,009	9,115	8,254	4,556	16,336	21,634
<i>April</i>	6,504	10,188	5,555	3,950	19,418	22,495
<i>May</i>	8,484	12,990	8,508	14,046	20,997	30,631
<i>June</i>	9,840	13,068	6,547	9,617	23,641	22,836
<i>July</i>	11,930	10,058	5,371	4,214	21,899	33,007
<i>August</i>	10,267	12,749	7,942	10,838	21,868	41,178
<i>September</i>	15,391	12,116	6,731	12,855	16,831	29,867
<b>Total</b>	<b>\$87,471</b>	<b>\$112,851</b>	<b>\$82,028</b>	<b>\$80,033</b>	<b>\$181,956</b>	<b>\$274,225</b>

**Table 8: Texas Rowing Revenue to the City**

	Rev. 98-99	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04
<i>October</i>	450	709	667	667	667	667
<i>November</i>	276	682	667	667	667	667
<i>December</i>	360	636	667	667	667	667
<i>January</i>	300	598	667	667	667	667
<i>February</i>	510	594	667	667	667	667
<i>March</i>	481	912	667	667	667	667
<i>April</i>	615	956	667	667	667	667
<i>May</i>	807	667	667	667	667	667
<i>June</i>	926	667	667	667	667	667
<i>July</i>	1121	667	667	667	667	667
<i>August</i>	968	667	667	667	667	667
<i>September</i>	1446	667	667	667	667	667
<i>Lump Sum</i>			1,706	597	4,255	12,267
<b>Total</b>	<b>\$8,260</b>	<b>\$8,422</b>	<b>\$9,710</b>	<b>8,601</b>	<b>\$12,259</b>	<b>\$20,271</b>

**E. Rowing Dock**

<b>Concessionaire</b>	<b>Location</b>
Rachel Yates	On Stratford Drive just west of the Austin Nature and Science Center
P.O. Box 685162	
Austin, Texas 78768	<b>Commission Paid to City – 7%</b>
<b>Hours of Operation</b>	
6:00 a.m. to 6:00 p.m.	<b>Sign Posted</b>
	Yes

**General Activities**

Rowing Dock, Parks and Recreation Department's newest concession, opened for business in December 1999. They offer a variety of services which promote the sport of rowing including rentals, private lessons, classes and membership. Rowing Dock features a variety of boats from pontoons to sleek racing shells to accommodate the individual goals of all rowers. Rowing Dock is currently working with the Parks and Recreation Planning Division to develop plans for building a boat house at their site.

In September, Rowing Dock signed a permanent contract with the City. Under the terms of the contract, Rowing Dock will pay 7% of net sales through the first five years of its contract with the City. Once the initial contract extension is exercised, the compensation plan will convert to monthly payments of \$667 and a lump sum payment. In early 2003, Rachel Yates bought out her partner, Paolo Missinni to become the sole proprietor of Rowing Dock.

Tables 9 & 10 illustrate Rowing Dock's monthly sales and revenues paid to the City of Austin for the past four years. In FY 2003-2004, gross sales totaled \$218,336, a 3.4% decrease from 2002-2003 figures. Revenues paid to the City totaled \$16,108.

**Table 9: Rowing Dock Sales**

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	--	10,767	16,586	11,765	13,808
<i>November</i>	--	9,524	14,768	10,143	6,262
<i>December</i>	--	8,937	8,473	6,939	6,412
<i>January</i>	8,527	17,550	19,146	19,234	17,840
<i>February</i>	11,647	11,834	13,273	9,413	8,827
<i>March</i>	10,159	13,816	16,207	20,647	19,739
<i>April</i>	14,249	15,967	22,207	23,591	20,787
<i>May</i>	19,028	18,910	28,884	28,553	25,983
<i>June</i>	12,877	28,971	29,971	26,050	20,470
<i>July</i>	16,030	25,651	10,444	25,103	32,181
<i>August</i>	12,175	26,335	21,794	23,739	26,438
<i>September</i>	21,664	23,917	26,009	20,944	19,535
<b>Total</b>	\$126,356	\$212,179	\$227,761	\$226,121	\$218,335

**Table 10: Rowing Dock Revenue to the City**

	Rev. 99-00	Rev. 00-01	Rev. 00-01	Rev. 02-03	Rev. 03-04
<i>October</i>	--	719	1,099	784	1,048
<i>November</i>	--	634	988	768	472
<i>December</i>	--	597	564	525	482
<i>January</i>	597	1,197	1,293	1,502	1,391
<i>February</i>	799	792	883	713	669
<i>March</i>	661	926	1,080	1,566	1,503
<i>April</i>	968	1,069	1,479	1,800	1,585
<i>May</i>	1,236	1,264	1,911	2,181	1,977
<i>June</i>	838	1,939	1,997	1,975	1,563
<i>July</i>	1,062	1,710	688	1,896	2,433
<i>August</i>	769	1,758	1,449	1,794	1,479
<i>September</i>	1,468	1,606	1,743	1,608	1,506
<b>Total</b>	\$8,398	\$14,211	\$15,174	\$17,112	\$16,108

### F. Zilker Canoe Rentals

<b>Concessionaire</b>	<b>Location</b>
Mr. Howard Barnett 2202-A Homedale Drive	West side of Barton Creek immediately below Barton Springs Pool
	<b>Commission Paid to City – 11% for first \$40,000 in revenue; 12% thereafter</b>
Austin, Texas 78704	
<b>Hours of Operation</b>	<b>Sign Posted</b>
March – Labor Day: Weekdays: 11:00 a.m. – dusk Weekdays and Holidays: 9:00 a.m. – dusk After Labor Day: 11:00 a.m. – dusk, weekends only	Yes

#### General Activities

Zilker Canoe Rentals is the City's oldest boating concession. Mr. Howard Barnett started the concession in 1969 and throughout the years has not only provided the City with consistent revenues, but has also provided many boating experiences to groups from various organizations free of charge. Some of these organizations include: the Austin Association for Retarded Citizens, the Austin Public Library System, the Austin Sunshine Camp, the Austin-Travis County Mental Health Mental Retardation Center, the Texas School for the Blind, and the Texas School for the Deaf. By allowing the use of the canoes during non-peak hours to groups such as these, Mr. Barnett has afforded experiences to many people who would otherwise never have an opportunity to canoe. Life jackets are supplied to all renters and required for children under 12. A five year contract with a five year extension option was executed on June 19, 2000. Zilker Park Canoe Rentals currently pays 11% of its first \$40,000 in sales and 12% thereafter to the City.

Tables 11 & 12 illustrate the monthly sales and revenue to the City for Zilker Canoe Rentals for the past five fiscal years. Gross sales in 2003-2004 were \$156,074, as revenues to the City totaled \$16,845.

**Table 11: Zilker Canoe Rental Sales**

	Sales 98-99	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	7,365	12,560	4,915	11,689	5,027	11,480
<i>November</i>	4,496	11,068	2,497	7,608	5,220	3,392
<i>December</i>	2,452	1,960	956	1,807	1,758	1,771
<i>January</i>	4,022	10,220	2,747	4,787	3,693	5902
<i>February</i>	12,069	11,515	7,296	9,826	4,335	4396
<i>March</i>	13,757	21,792	16,278	16,437	20,607	18,015
<i>April</i>	20,211	24,364	25,935	19,228	22,837	15,496
<i>May</i>	23,981	25,522	26,365	26,273	23,296	26,380
<i>June</i>	17,441	11,475	28,281	23,583	23,339	11,132
<i>July</i>	18,495	25,102	27,237	6,443	20,539	25,387
<i>August</i>	15,296	11,704	16,650	16,300	19,841	19,654
<i>September</i>	15,055	15,787	12,279	12,470	10,350	13,071
<b>Total</b>	<b>\$154,641</b>	<b>\$183,069</b>	<b>\$171,436</b>	<b>\$156,451</b>	<b>\$160,844</b>	<b>156,074</b>

**Table 12: Zilker Canoe Rental Revenue to the City**

	Rev. 98-99	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04
<i>October</i>	817	1,392	545	1,296	557	1,273
<i>November</i>	498	1,227	277	843	579	376
<i>December</i>	272	217	106	200	195	196
<i>January</i>	714	1,039	279	486	375	600
<i>February</i>	1,226	1,170	740	998	440	447
<i>March</i>	1,398	2,217	1,654	1,670	2,094	1,831
<i>April</i>	2,144	2,476	2,718	1,954	2,396	1,523
<i>May</i>	2,658	2,593	2,923	2,912	2,583	2,924
<i>June</i>	1,933	1,166	3,135	2,614	2,587	1,234
<i>July</i>	2,219	2,783	3,019	714	2,277	2,814
<i>August</i>	1,696	1,962	1,846	1,807	2,200	2,179
<i>September</i>	1,669	1,751	1,361	1,382	1,147	1,449
<b>Total</b>	<b>\$17,244</b>	<b>\$19,993</b>	<b>\$18,604</b>	<b>\$16,879</b>	<b>\$17,430</b>	<b>16,846</b>

**G. Zilker Zephyr Railroad**

<b>Concessionaire</b>	<b>Location</b>
Mr. Willie Rodriguez – Texas Special, Inc.	Zilker Park
5000 Broken Arrow	Train Station located next to playscape.
	<b>Commission Paid to the City – 11%</b>
Austin, Texas 78745	
<b>Hours of Operation</b>	<b>Sign Posted</b>
	Yes

**General Activities**

On November 16, 1996, the City Council awarded a new contract to Texas Special, Inc. to operate the Zilker Zephyr. For the last three years Texas Special, Inc. was partnered with Rodriguez Concessions, Inc (of Barton Springs Food and Beverage). In mid 2000 Rodriguez Concessions bought out Texas Special and is currently responsible for the operation of the Zilker Zephyr. The current contract requires Texas Special to pay 11% of net sale to the City.

Tables 11 & 12 illustrate the monthly sales and revenue to the City for Zilker Zephyr (formerly Zilker Eagle) Railroad for the past five fiscal years. Gross sales for 2003-2004 were \$325,481 and revenues to the City totaled \$32,600.

*(This table area is extremely faint and contains illegible data, likely representing monthly sales and revenue for the Zilker Zephyr Railroad over several fiscal years.)*

**Table 13: Zilker Zephyr Railroad Ticket and Souvenir Sales**

	Sales 98-99	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04
<i>October</i>	19,573	28,469	16,193	30,547	15,752	27,304
<i>November</i>	18,901	30,160	14,991	26,355	23,187	21,694
<i>December</i>	16,911	17,649	11,072	13,493	16,568	17,559
<i>January</i>	21,597	21,612	16,046	11,512	18,336	19,317
<i>February</i>	24,063	24,021	22,350	20,858	16,780	17,226
<i>March</i>	32,220	36,184	34,067	34,829	41,339	39,721
<i>April</i>	34,730	36,077	41,823	33,521	36,621	31,498
<i>May</i>	26,556	36,292	37,567	40,879	34,742	37,330
<i>June</i>	29,536	28,356	37,790	30,631	33,253	24,954
<i>July</i>	34,605	32,942	34,005	29,657	26,616	37,388
<i>August</i>	22,205	22,734	22,149	26,291	26,427	30,338
<i>September</i>	26,130	28,750	30,707	19,452	19,881	21,152
<b>Total</b>	<b>\$307,027</b>	<b>\$343,246</b>	<b>\$318,760</b>	<b>\$ 318,023</b>	<b>\$309,502</b>	<b>\$325,481</b>

**Table 14: Zilker Zephyr Railroad Ticket and Souvenir Revenue to the City**

	Rev. 98-99	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04
<i>October</i>	2,007	2,896	1,646	3,104	1,601	2,774
<i>November</i>	1,921	3,065	1,523	2,678	2,356	2,205
<i>December</i>	1,718	1,793	1,125	1,371	1,684	1,784
<i>January</i>	2,195	2,196	1,631	1,170	1,863	1,963
<i>February</i>	2,445	2,441	2,271	2,120	1,705	1,313
<i>March</i>	3,274	3,677	3,487	3,217	4,201	4,036
<i>April</i>	3,529	3,666	4,250	3,406	3,721	3,201
<i>May</i>	3,715	3,663	3,817	4,154	3,530	3,794
<i>June</i>	3,001	2,881	3,840	3,113	3,379	2,499
<i>July</i>	3,516	3,292	3,455	3,114	2,705	3,799
<i>August</i>	2,256	2,310	2,251	2,672	2,685	3,083
<i>September</i>	2,655	2,921	3,120	1,977	2,130	2,149
<b>Total</b>	<b>\$32,232</b>	<b>\$34,801</b>	<b>\$32,416</b>	<b>\$32,095</b>	<b>\$31,560</b>	<b>\$32,600</b>

## Attachment: A

### PARKS AND RECREATION DEPARTMENT POLICY/PROCEDURE

Title: Policy for Concessions on City Parkland Effective Date: 3/13/98

Council Approval: March 12, 1998 Revised Date: October 21, 1997

Purpose: To establish a policy for concessions on all City parkland.

Reference:

Policy: The Parks and Recreation Department (PARD) has developed this policy regarding the limited private commercial use within the City's park system in the form of concessions, including permanent and temporary concessions. These policies are intended to maintain the aesthetic and environmental quality of the City's park system and to ensure a financial return to the City of Austin from such uses or to provide a public good to the citizens of Austin.

All proposals for concessions on Town Lake will be reviewed in compliance with Chapter 11-3 of the City code. The definition of a concession is as follows: " Any privately operated business on parkland serving park users, authorized by the City in accordance with applicable ordinance requirements. Types of businesses operated as concessions may include without limitation, food and beverage stands, boat rentals, excursion boats, boating lessons, bicycle rentals, and pushcarts." Concessions also include businesses which provide souvenirs and other goods and services to park users and which generally pay a portion of their revenue to the City or provide a public good to the citizens of Austin.

There are three categories of concessions: 1) new permanent concessions, 2) existing permanent concessions, whose contracts have expired, and 3) unsolicited temporary concessions. The following policies will address the development of permanent concessions on parkland and establish guidelines for temporary concessions.

New Permanent Concession Development<sup>1</sup>

In order to comply in a timely manner with the Town Lake Ordinance the following time line will be followed annually:

April 1 – June 30	Staff will accept input for new concession ideas through various methods e.g., surveys of boards, commissions, advisory groups and park users; public notice; and requests for written suggestions from the general public.
By July 31	Staff will submit a report to the Parks and Recreation Board and the Environmental Boards, describing all proposals received for new concessions ideas.
By August 31	A subcommittee made up of City staff, representatives of the Parks and Recreation Board and the Environmental Board will review concepts and make recommendations to each Board.
By September 30	The Environmental Board and the Parks and Recreation Board will recommend which of the concession concepts (if any) should go forward to a public hearing. Potential locations of all the concessions must be determined prior to the setting of the public hearing. No less than 21 days prior to the public hearing, signs will be posted at the prospective locations of the concession(s). Notices will be sent to all interested parties including the media.
By October 31	Staff will present the annual concession report <sup>2</sup> . This report will provide a synopsis of this process and will include the Environmental Board, Parks and Recreation Board and staff recommendations.
By November 30	The Parks and Recreation Board and the Environmental Board will forward to the City Council their response to the annual report.
By January 31	Staff will issue RFPs for new concessions approved by Council.

RFPs for new permanent concessions will require payments based on a flat fee schedule or on a percentage basis of gross sales less sales tax. The method of payment for each concession will be determined on a case by case basis by the Parks and Recreation Director. The flat fee or percentage of sales methods will be determined based on an analysis of the location and type of concession and will be calculated by City staff. The contracts will require an annual review of the concession to determine incremental increases to the fees after the second year of the contract. Additionally, for the flat fee, concessionaires will be required to pay a percentage of their gross sales, once sales exceed the targeted annual gross sales on which the flat fee is based.

<sup>1</sup> A permanent concession is defined as a concession, which has or is eligible for a contract of a year or more and generally has a permanent structure.

<sup>2</sup> As required by Town Lake Ordinance No. 890126.

An evaluation team will review RFP responses and make recommendations to Council. (As allowed by chapter 11-3 of the City code, the evaluation team will include staff and may include one representative from each of the following organizations: Parks and Recreation Board, Environmental Board, and Design Commission.) Recommendations for award of contracts as a result of this process will be forwarded to the Parks and Recreation Board for review and recommendation prior to the City Council action. Following Council approval, a contract will be negotiated and executed.

#### Permanent Concession Policy for Existing Contracts About to Expire.

Staff will gather public input concerning items that should be addressed in a new contract, for an existing concessions 90 days prior to contract's expiring.

RFPs will be issued for new contract periods for existing concessions. An evaluation team will review the proposals and make recommendations to the Parks and Recreation Board. The evaluation team will include staff and may include one representative from the Parks and Recreation Board, Environmental Board, and Design Commission. Requests for Council Action (RCAs) will be submitted to Council for contract award.

RFPs for existing concessions will require payments based on a flat fee schedule or on a percentage basis (as they stand now) for the term of the contract. The method of payment for concessions will be determined on a case by case basis, by the Parks and Recreation Director. The flat fee or percentage of sales payment will be based on an analysis of the location and type of concession and on a five-year history of that particular concession. City staff will calculate this fee. For the flat fee method, the contracts will require an annual review of the concession to determine incremental increases to the flat fee after the first year of the contract. Additionally, concessionaires will be required to pay a percentage of their gross sales, once sales exceed the targeted annual gross sales on which the flat fee is based.

#### Temporary - Seasonal Concession Policy

A temporary or seasonal concession is defined as a concession which does not require a building or other type of permanent structure from which to operate and has a contract term limited to one year or less. Fees for temporary or seasonal contracts will be established by the City Council in the annual budget. Any temporary concession granted a temporary/seasonal permit two times within a 12 month period will be considered in the annual process for new permanent concessions. The Director of Parks and Recreation is authorized to negotiate and enter into temporary or seasonal concession contracts based on predetermined criteria to include impact, location, service level, revenues to the City, and any other criteria which may be in the best interest of the City and the use of its parkland.

**Single Day – Temporary Permits**

A single day temporary permit is defined as a concession set up outside of a special event taking place in a City Park. This concessionaire would have the opportunity to purchase a one-day permit for \$50.00 at the site of the event or cease and remove the operation of the concession from the area immediately.

**Performing Artists in the Parks**

Performing artists are allowed to entertain in the parks provided they register with and are approved by the Director of the City of Austin Parks and Recreation Department. Performing artists are categorized under the single day – temporary permit fee structure. The fee for performing artists will be \$10.00 a day and may be purchased in 2-week increments. When applying, the performing artist must provide specific days of operation, so this can be reflected on the permit.

Individuals may perform as artists or entertainers in any City park as long as they meet the following conditions. They:

- A. May not block sidewalks or in any way impede pedestrian or vehicular traffic circulation.
- B. May not be within 100 feet of an existing concession's main operating location.
- C. May set up at special events only with written permission of event organizer.
- D. May not use Amplified sound.
- E. Juggling of potentially hazardous materials or items such as knives or fire is prohibited.
- F. Any money exchanged must be on a "tips" or donation basis only, with the amount to be determined by the donor.
- G. Entertainers must carry the permit issued by the Parks and Recreation Department allowing them to perform in the park. This permit is to be available on request by any park employee charged with patrolling or supervising park use or by any citizen.
- H. May not impede or interfere with the use of park facilities or scheduled activities.

Failure to produce the permit issued from the Parks and Recreation Department can result in immediate expulsion from the park.

Report(s) Required: This policy is to be reviewed by the Parks Board every three years from the date of original approval with changes to be approved by Council. The Director of Parks and Recreation is authorized to develop guidelines and make changes thereto for the implementation of this policy.

1/25/2005



MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director  
Parks and Recreation Department

Date: January 25, 2005

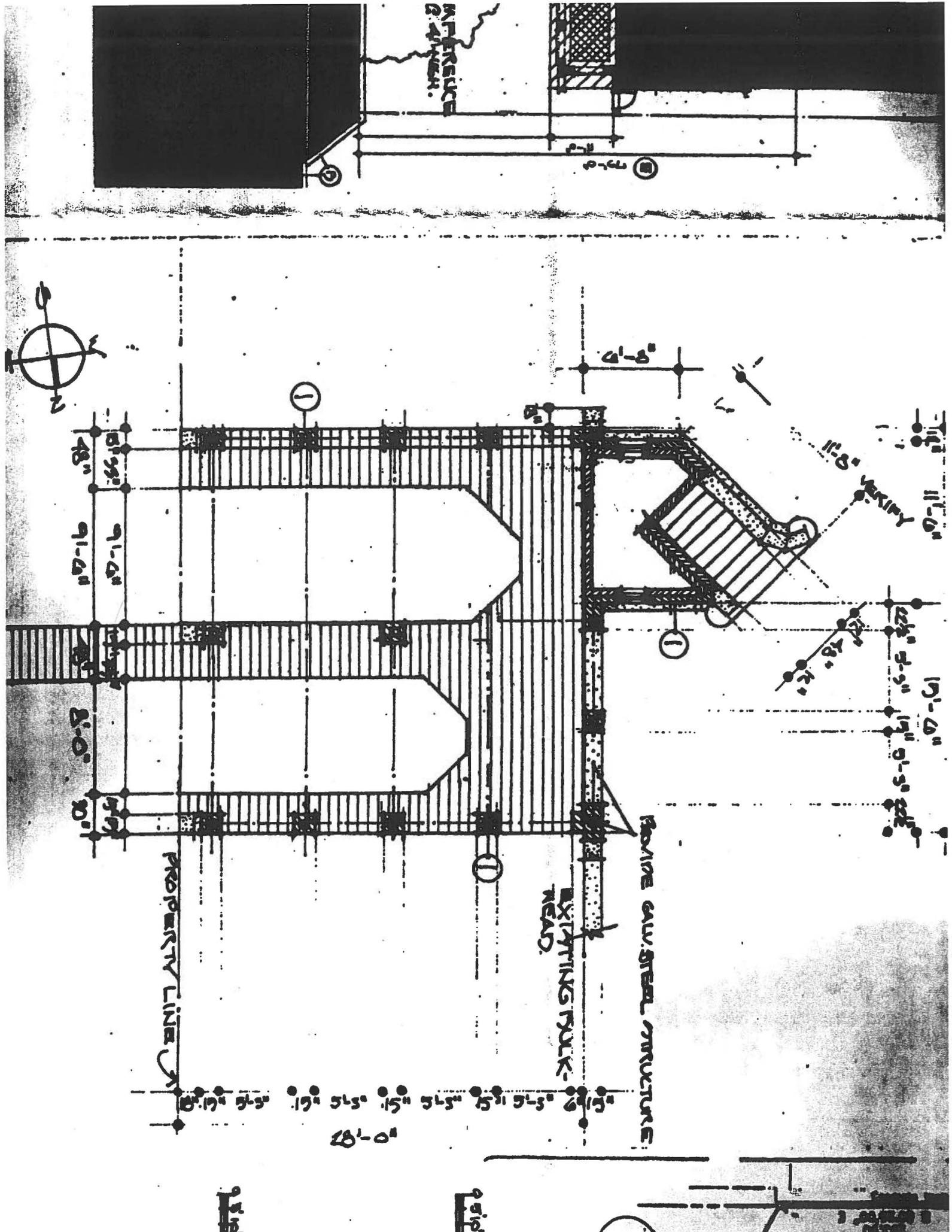
Subject: Boat Dock at 2921 Westlake Cove  
Case Number SP-04-0291D

A request has been received from Jim Bennett on behalf of Jay Palmer to construct a two-slip boat dock at 2921 Westlake Cove.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed dock is greater than 20 percent of the shoreline on which the structure is to be constructed.

Parks and Recreation Board approval is required for structures greater than 20 percent of the shoreline width on which the structure is to be constructed.

Warren W. Struss, Director  
Parks and Recreation Department



MATERIAL STORAGE

7'-0"



48"  
5'-9"  
9'-0"  
9'-0"  
8'-0"  
10'

PROPERTY LINE

EXISTING TRUCK HEAD

REMOVE SAW STEEL STRUCTURE

11'-0" WALKWAY

17'-0"

19'-0"

19'-0"

19'-0"

28'-0"

9'-0"

9'-0"

9'-0"

2.4.04

BOARD OF ADJUSTMENTS

THE CITY OF AUSTIN, TX.

RE: VARIANCE TO SECTION 25.2-.1176 FOR

LOT 10 LAGO VILLA, OWNED BY:

GAMBLE J. & MARTHA L. PALMER

TO THE MAXIMUM SHORE LINE COVERAGE

TO WHOM IT CONCERNS:

THE UNDERSIGNED OWNERS OF LOTS  
15 & ? DIRECTLY ADJOINING  
LOT 10 LAGO VILLA, TO THE SOUTH &  
NORTH, HAVE NO OBJECTIONS TO  
THE VARIANCE REQUESTED FOR THE  
CONSTRUCTION OF A BAIT PUCK (DESCRIBED  
IN THE ATTACHED SUBMITTAL DATED  
11.18.03

SIGNED Paul H. Woods DATE PAUL H/W

SIGNED A. Arney DATE 2/8/04



**MEMORANDUM**

**To:** Parks and Recreation Board

**From:** Warren W. Struss, Director  
Parks and Recreation Department

**Date:** January 25, 2005

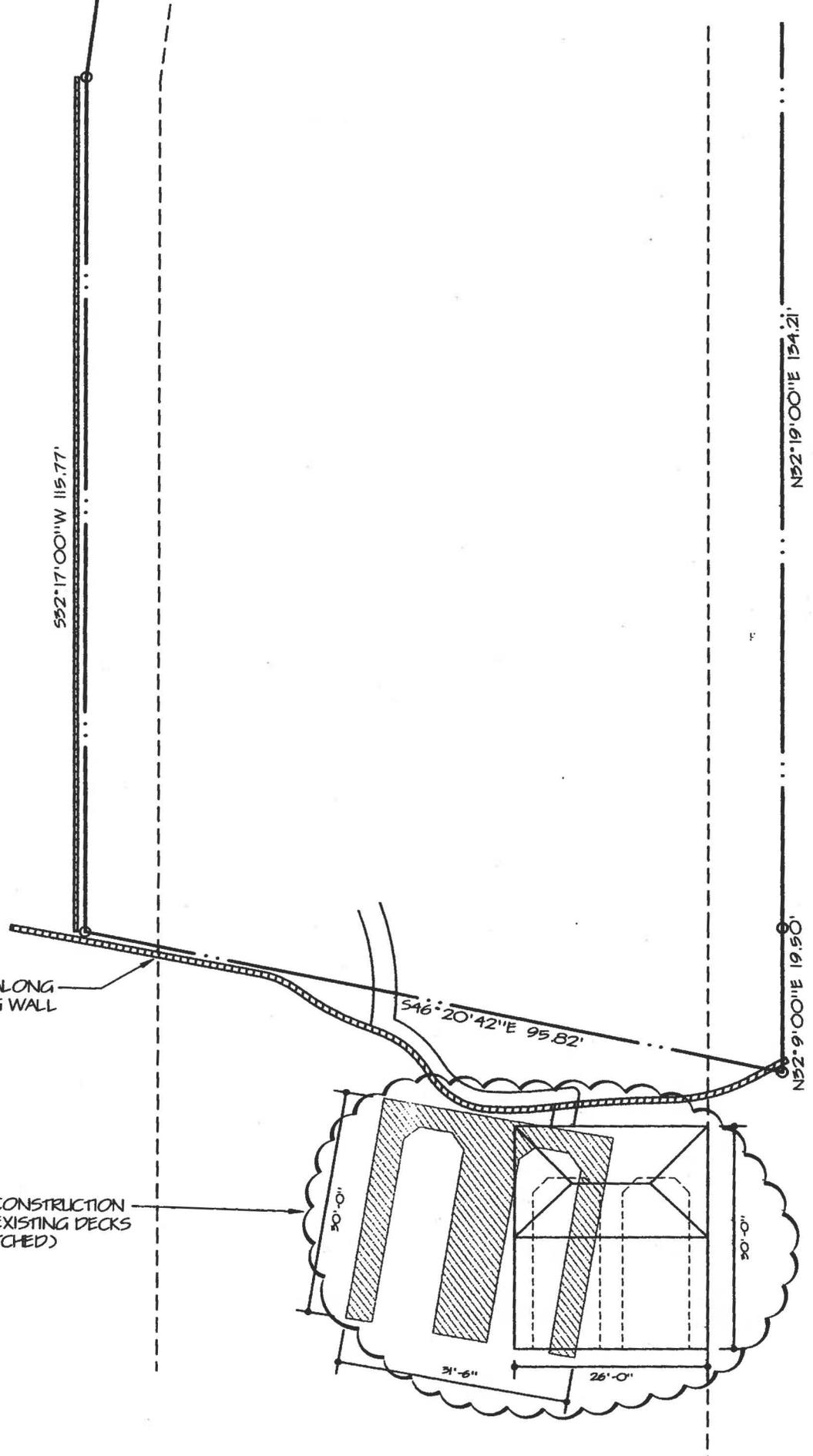
**Subject:** Boat Dock at 1748 Channel Rd.  
Case Number SP-04-1129DS

A request has been received from Teresa Clark on behalf of Jerry Peterson to construct a two-slip boat dock at 1748 Channel Rd.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed dock is greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

Parks and Recreation Board approval is required for structures greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

Warren W. Struss, Director  
Parks and Recreation Department



**B** 110' OF SHORELINE ALONG CONCRETE RETAINING WALL

**E** LIMITS OF CONSTRUCTION (REMOVE EXISTING DECKS SHOWN HATCHED)

--Lake Austin--

Dear Parks and Recreation Board:

This project is in Travis County (.423 acres of land out of Thomas Gray Survey No. 2.) is located in the Lake Austin Watershed, is classified as water supply rural and shall be developed in accordance with the city and the land development code.

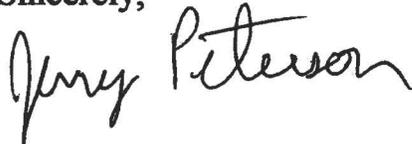
I am requesting a variance to exceed the 20% shoreline width for 1748 Channel. The existing boat dock is a 2 slip boat dock that is 31.5' x 30' and is beyond repair.

The proposed boat docks overall the dimensions will be 26' x 30' x 20' with a concrete deck and railing and stairway per code. Navigational lighting will be per code.

This will be a huge improvement to what is currently there now.

Thanks so much for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Jerry Peterson". The signature is written in a cursive style with a large, prominent "J" and "P".

Jerry Peterson



## MEMORANDUM

**To:** Parks and Recreation Board

**From:** Warren W. Struss, Director  
Parks and Recreation Department

**Date:** January 25, 2005

**Subject:** Boat Dock at 1612 Ski Slope Dr. Unit B  
Case Number SP-05-0018DS

A request has been received from Bill Lockett on behalf of Beth Fox to construct a single-slip boat dock at 1612 Ski Slope Dr.

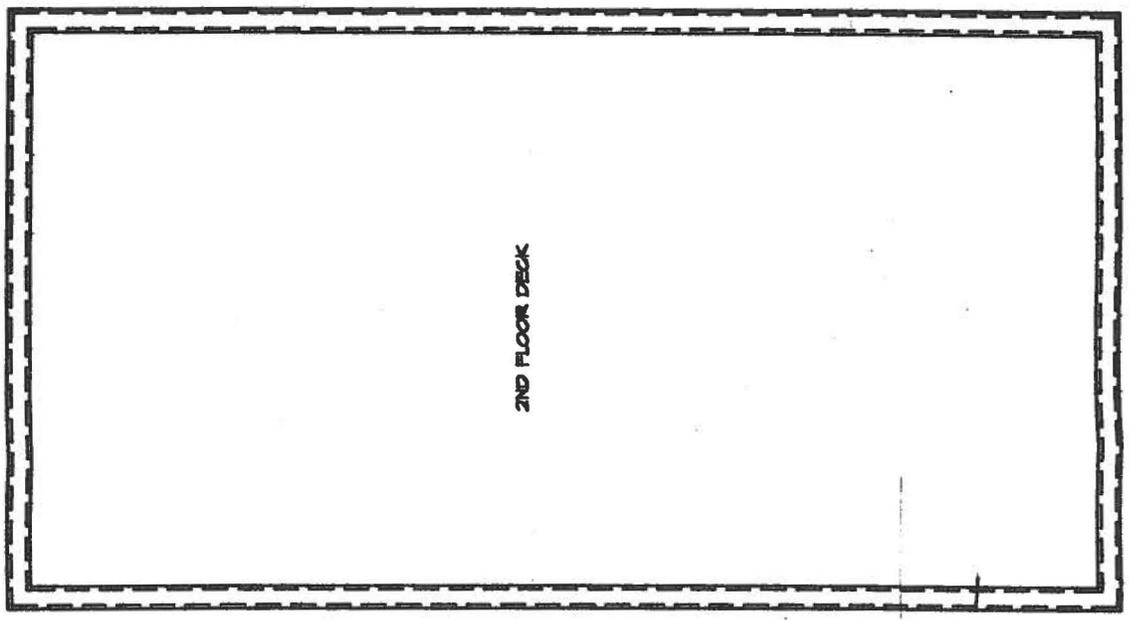
The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed dock is greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

Parks and Recreation Board approval is required for structures greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

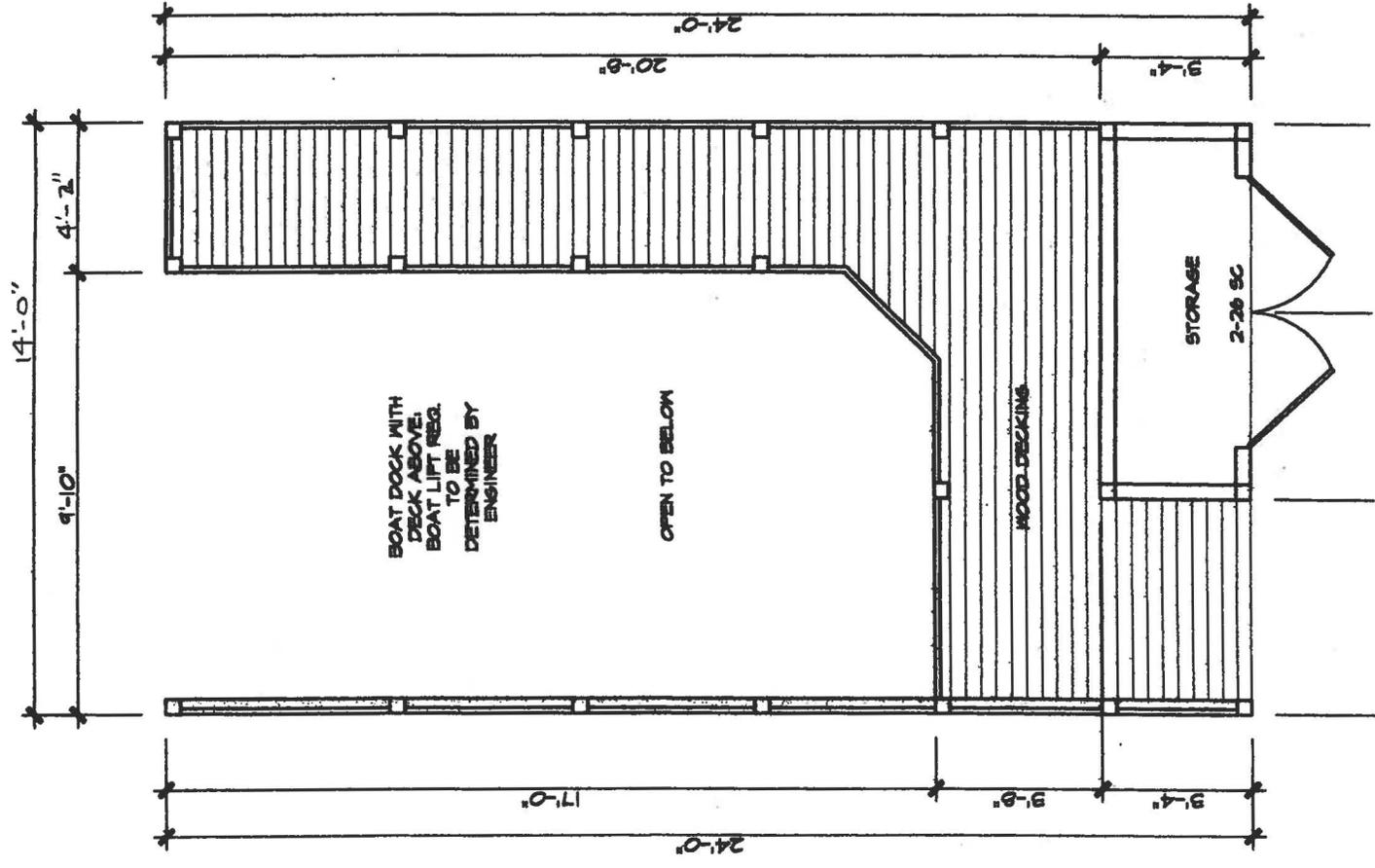
Warren W. Struss, Director  
Parks and Recreation Department



INTER



2ND FLOOR DECK



**VARIANCE REQUEST**

**CASE NUMBER: SP-05-18-DS**

**DATE: 17 JAN 2005**

**REQUEST: 10" (TEN INCH) VARIANCE**

**PROJECT NAME: BETH FOX BOAT DOCK**

**PROJECT CASE MANAGER: Randy Scott and John McDonald**

**PROJECT LOCATION: 1612 SKI SLOPE DRIVE UNIT B**

Under current zoning codes, our proposed Boat Dock requires a 10" width variance that allows for a more usable dock.

The current codes states that a "boat dock can not be greater then 20% of the lot width". The current lot is 68' wide, making an allowable boat dock width of 13'.2" under current standards.

We would like the City of Austin to grant a 10" variance to the proposed project, allowing us to construct a 14' boat dock as proposed.

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Watershed protection and Development Review Department      DATE

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Site Development Permit Number      DATE

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**Parks and Recreation Department      DATE**



## MEMORANDUM

**To:** Parks and Recreation Board

**From:** Warren W. Struss, Director  
Parks and Recreation Department

**Date:** January 25, 2005

**Subject:** Boat Dock at 2501 Tydings Cove  
Case Number SP-04-0959DS

A request has been received from Gene Lucas on behalf of Lloyd and Teresa Brinkman to construct a single-slip boat dock and deck at 2501 Tydings Cove.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed dock is greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

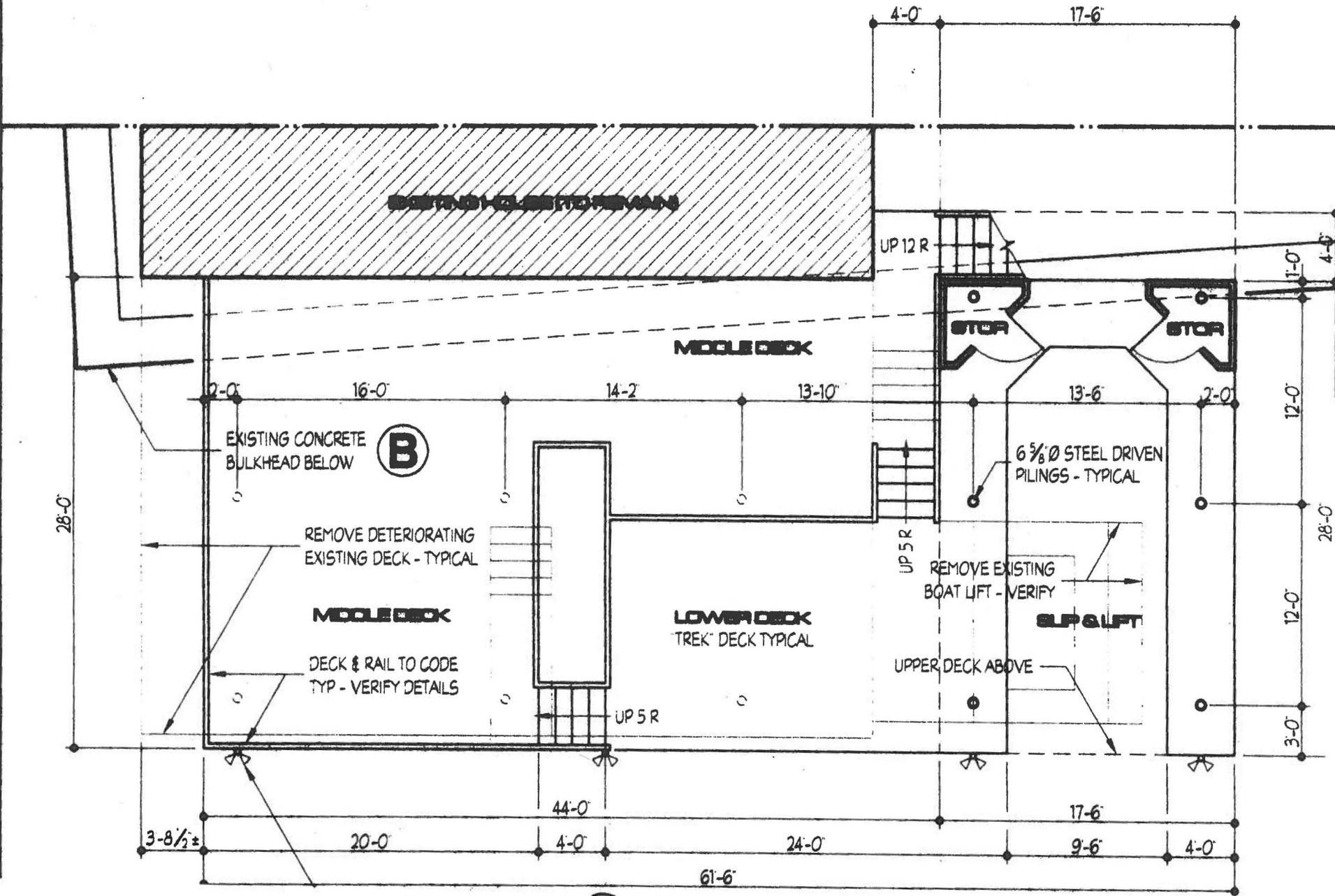
Parks and Recreation Board approval is required for structures greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

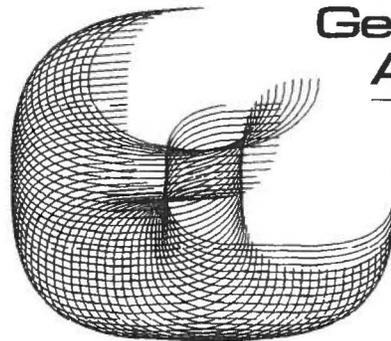
Warren W. Struss, Director  
Parks and Recreation Department

# UPPER LEVEL FLOOR PLAN

1/8"

**(D)** NOTE: EACH TWO-BULB NAVIGATION LIGHT STATION WILL NOT EXCEED A MAXIMUM OF 25 WATTS FOR BOTH BULBS; ALL BULBS SHALL BE AMBER IN COLOR.





Gene Lucas,  
Architect,

Inc. #5807

11201-S Bonham  
Ranch Road  
Dripping Springs,  
Texas 78620  
tel: 512.284.1242  
fax: 512.284.0352  
Gene@GLAinc.com

## MEMO

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DATE: September 3, 2004

TO: Randy Scott  
Parks & Recreation Department  
City of Austin

RE: Boat Dock Permit Application [Brinkman Residence]  
2501 Tydings Cove  
Austin, TX 78730-4200

Dear Mr. Scott:

I respectfully request approval of a boat dock to be built at 2501 Tydings Cove, Austin, Texas, 78730-4200, tentatively scheduled for construction in September / October, 2004.

The two-boat slip is to be built with steel pilings.

This additional construction should not adversely affect shoreline erosion, drainage, or any other environmental concerns.

Thank you for your cooperation.

Gene Lucas, Architect

**TEXAS ROWING CENTER  
On Town Lake  
467-7799**

June 23, 2004

Mr. Jay Stone  
Assistant Director  
Austin PARD  
200 S. Lamar  
Austin, Texas 78704  
**Via Hand Delivery**

Re: Additional Dock Space for TRC

Dear Jay:

As we discussed, I am requesting permission to add two 20-foot sections (40 feet total) to the Texas Rowing Center (TRC) dock. The current permit allows for 120 feet of dock space, and the addition of the two sections would lengthen the dock to 160 feet. This proposal outlines the requested dock expansion and the reasons why the expansion is necessary to serve the needs of TRC and the Austin public.

A key point to remember when you review this proposal is that our dock provides unlimited public access to Town Lake at all times. We do not attempt to restrict general public access to the dock in any way. As far as I know, the TRC dock is the only unrestricted public access dock on Town Lake. And we view the construction of the dock and its maintenance as a contribution that we give back to the park system and citizens of Austin.

One of the primary purposes of the proposal is to address issues you have raised, particularly with regard to the equity issue as it pertains to other Town Lake rowing facilities. First, our request is not unprecedented on Town Lake – the Austin Rowing Club already has over 180 linear feet of dock space. Second, unlike Rowing Dock's dock, the public has unlimited access to our dock (public access to Town Lake through Rowing Dock's dock is justifiably restricted for security purposes).

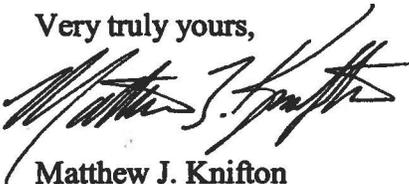
Nevertheless, I completely agree with your position regarding equal treatment of TRC and Rowing Dock. To ensure equitable treatment, I propose that PARD grant an expansion option to both TRC and to Rowing Dock for an additional 40 feet of dock space. Then final administrative approval of the dock expansion would be contingent on the payment of a "dock expansion fee" of \$100/ft. I would exercise the full option immediately after paying PARD \$4,000. If Rowing Dock needs more dock space, they can exercise their option subject to the same dock fee. If both concessions lengthen their docks by 40 feet, PARD is paid a total of \$8,000. **The general public and concession users receive the benefit of additional dock space to access Town Lake, and PARD**

Mr. Jay Stone  
June 23, 2004

**receives compensation for docks constructed, maintained, and financed by the concessions.**

Jay, we feel that permission for an additional section of dock is warranted in light of the dock's heavy use, not only by TRC, but by all park users. Your consideration of this matter is greatly appreciated. I can be reached at 467-7799 or by email at [rowing@texas.net](mailto:rowing@texas.net).

Very truly yours,



Matthew J. Knifton

## Expansion Justification

**1. Greater Public Demand for Access:** The additional two sections are necessary due to heavier usage by concession users and the general public. Our location and open access policy (we do not restrict access in any way) encourage dock usage. And our request for 160 linear feet of dock space is not unprecedented on Town Lake – the Austin Rowing Club has over 180 feet of linear dock space. The photos in Figure 3 (last page) illustrate the increased dock traffic, which is at an all-time high and continues to increase due to the following:

- **Increased Concession Use:**

- **Open All Day, Every Day** - We are now open all day, every day, so people are launching boats and kayaks during all daylight hours.
- **Increased Rowing Membership** - TRC has over 25 sculling shells and over 400 active card-holders giving it the largest rowing membership in Texas (even more than the Austin Rowing Club). High volume allows us to keep our rates low.
- **Increased Kayak Usage** - Our kayak rentals (we now have over 25 kayaks) have increased dramatically over the past two years. In the past year, we have had over 10,000 kayak rentals from TRC.
- **New Kids' Programs** – TRC now sponsors fall and spring rowing programs for juniors. Attendance was at an all-time high for our spring 2004 program (almost 50 students). We also run middle school and high school water sports camps every week of the summer. These programs are particularly “dock intensive” and require substantial dock space for training and boat launching.

- **Increased Public Use:**

- **Private Boat Launching** - In addition to our own customers and boats, our dock is used by the general public for launching private boats, including rowing shells, rafts, kayaks, and canoes.
- **Cap 2K Swim Race** – In May 2004, TRC sponsored and hosted the Cap 2K Swim on Town Lake for the second year in a row. The event attracted over two-hundred participants who swam from our dock to Auditorium Shores. This event continues to grow and additional dock space is necessary to ensure an adequate staging area for the swimmers at the starting line. **All proceeds benefited the renovation of the Deep Eddy Pool Bath House (TRC has contributed over \$4,000 to this project).**

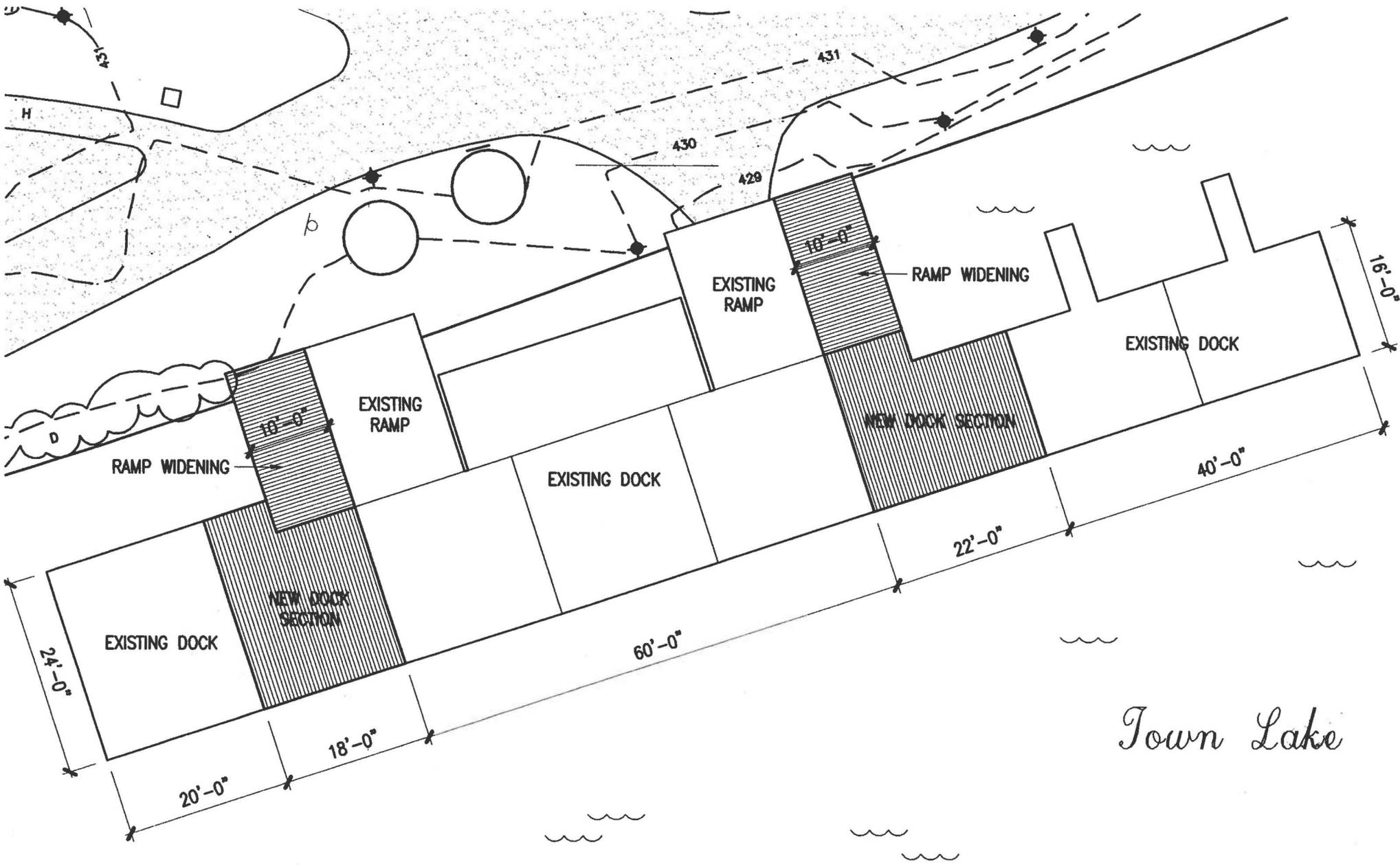
Attached as Exhibit B is a letter from the Cap 2K Race Director, Dr. Keith Bell, in support of the dock expansion project.

- **Chautauqua River School** - TRC is partners with the Chautauqua River School, which is a non-profit organization founded to provide canoe adventures for underprivileged grade-school students. The program has several funding sources, including the Texas Parks & Wildlife Department. For the past two years, we have worked with the school's executive director, Mr. Joe Kendall, to provide dock space for the Chautauqua students for at least two sessions per week. Attendance typically numbers over thirty students per gathering. At least one of the new dock sections would be built at the shady west end of the dock and would provide an excellent space for group gatherings such as the Chautauqua meetings. Prior to using our dock, Chautauqua launched its boats from the storm water drain further east, which is not an ideal (or safe) area for launching boats due to the heavy silt build-up that damages boat hulls and creates eddy currents. Attached as Exhibit C is a letter from Mr. Kendall in support of the dock expansion project.
- **July 4<sup>th</sup> Fireworks** – Every year we have over one-hundred visitors use the TRC dock to view the fireworks display put on by the City of Austin.
- **Other Uses** - On any given day, you will find members of the public sunbathing, fishing, eating on our picnic tables, and just hanging out on the TRC dock.

**2. Reduced Boat Traffic Across the Hike & Bike Trail:** The additional two sections of dock space would also reduce the boat traffic crossing the hike & bike trail. Although all TRC concession users are taught/directed to yield to the trail users, the longer dock would further reduce the likelihood of a collision. TRC could stage more boats on the dock, thereby significantly reducing the number of trips to carry boats back to the boat storage facilities north of the trail.

## **Proposed Dock Expansion Fee**

TRC proposes that PARD grant an expansion option to TRC with final administrative approval of the dock expansion contingent on the payment of a "dock expansion fee" of \$100/ft. **Not only would the TRC concession users and the general public receive the benefit of additional dock space to access Town Lake (constructed, maintained and financed by TRC), but PARD would also receive a \$4,000 dock fee from TRC when it exercises its option.**



AUSTIN P. A. R. D.  
 TEXAS ROWING CENTER  
 JANUARY 10, 2005

**DOCK IMPROVEMENTS**  
 SCALE: 1/16" = 1'-0"

RAYMOND YIN ARCHITECT  
 1007 EAST RIVERSIDE DR AUSTIN TX 78704  
 (512) 447-3223